

## MEETING RECORD

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, May 15, 2002, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Jon Carlson, Steve Duvall, Roger Larson, Patte Newman, Greg Schwinn, Cecil Steward, Mary Bills-Strand and Tommy Taylor (Gerry Krieser absent); Ray Hill, Mike DeKalb, Jason Reynolds, Becky Horner, Brian Will, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Regular Planning Commission Meeting

Chair Greg Schwinn called the meeting to order and requested a motion approving the minutes of the meeting held May 1, 2002. Steward moved to approve the minutes, seconded by Larson and carried 8-0: Carlson, Duvall, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Krieser absent.

**CONSENT AGENDA**  
**PUBLIC HEARING & ADMINISTRATIVE ACTION**  
**BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Carlson, Duvall, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor; Krieser absent.

The Consent Agenda consisted of the following items: **COMBINED SPECIAL PERMIT/USE PERMIT NO. 20; SPECIAL PERMIT NO. 1973; SPECIAL PERMIT NO. 1974; FINAL PLAT NO. 01033, VILLA VAN DORN 1<sup>ST</sup> ADDITION; and FINAL PLAT NO. 02006, HARTLAND'S CARDINAL HEIGHTS 1<sup>ST</sup> ADDITION.**

**Item No. 1.3, Special Permit No. 1974,** was removed from the Consent Agenda and scheduled for separate public hearing.

Larson moved to approve the remaining Consent Agenda, seconded by Newman and carried 8-0: Carlson, Duvall, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'; Krieser absent.

Note: This is final action on Combined Special Permit/Use Permit No. 20, Special Permit No. 1973, Villa Van Dorn 1<sup>st</sup> Addition Final Plat No. 01033, and Hartland's Cardinal Heights 1<sup>st</sup> Addition Final Plat No. 02006, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

**SPECIAL PERMIT NO. 1974**  
**FOR AUTHORITY TO SELL ALCOHOLIC BEVERAGES**  
**FOR CONSUMPTION OFF THE PREMISES**  
**ON PROPERTY GENERALLY LOCATED**  
**AT NORTH 1<sup>ST</sup> AND WEST "O" STREETS.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

Staff recommendation: Conditional approval.

This application was removed from the Consent Agenda at the request of Buss Whitehead and had separate public hearing.

Proponents

**1. Buss Whitehead** believes the applicant has met the conditions of approval as requested by the Building & Safety Department.

Brian Will of Planning staff clarified that Condition #1.1 should be revised. The applicant has met with Public Works and it has been agreed that Condition #1.1 should read:

Revise the site plan to show the driveway onto West O Street ~~deleted~~ as the future proposed drive access and not part of this special permit.

There was no testimony in opposition.

Public hearing was closed.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 15, 2002

Larson moved to approve the staff recommendation of conditional approval, with the amendment to Condition #1.1, seconded by Bills-Strand and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

**COUNTY SPECIAL PERMIT NO. 195,**  
**BEAVER CREEK COMMUNITY UNIT PLAN,**  
**and**  
**COUNTY PRELIMINARY PLAT NO. 02011,**  
**BEAVER CREEK,**  
**ON PROPERTY GENERALLY LOCATED**  
**AT THE SOUTHEAST CORNER OF**  
**134<sup>TH</sup> AND "O" STREETS.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

Staff recommendation: Conditional approval.

Mike DeKalb of Planning staff submitted a letter from J.D. Burt of Design Associates on behalf of the developer, requesting a deferral until May 29, 2002. The developer desires to meet with staff to discuss the issues and concerns about the floodplain.

Larson moved to defer, with continued public hearing and administrative action scheduled for May 29, 2002, seconded by Bills-Strand and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

There was no testimony in opposition.

**SPECIAL PERMIT NO. 1961**  
**FOR MATERIAL AND EQUIPMENT STORAGE**  
**ON PROPERTY GENERALLY LOCATED**  
**AT YANKEE HILL ROAD AND CORAL DRIVE.**  
**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

Staff recommendation: Denial.

The applicant was not present when this application was called for continued public hearing.

There was no testimony in opposition.

Public hearing was closed.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 15, 2002

Taylor moved to deny, seconded by Steward and carried 7-1: Taylor, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Duvall voting 'no'; Krieser absent.

**MOTION TO RECONSIDER:** Shortly after the Commission took action, the applicant's attorney arrived. Steward moved to reconsider, seconded by Carlson and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

Since the public hearing had been previously closed, Rick Peo of the City Law Department advised that the hearing must be reopened for continued discussion and action, which requires readvertising. Thus, Taylor moved to schedule a reopened public hearing for May 29, 2002, seconded by Schwinn and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

**SPECIAL PERMIT NO. 1971**

**FOR A WIRELESS FACILITY**

**ON PROPERTY GENERALLY LOCATED**

**AT NORTH 56<sup>TH</sup> STREET AND CORNHUSKER HIGHWAY.**

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

Staff recommendation: Deferral, revised to conditional approval on May 15, 2002.

Brian Will of Planning staff submitted a letter from Goodyear indicating that collocation on Goodyear facilities is not feasible. This eliminates all opportunities for collocation. Therefore, the staff recommendation is revised to conditional approval, with the conditions as set forth in the staff report dated April 17, 2002.

Proponents

1. **Terrance Jones**, the applicant, stated that he has had a lot of response from communication carriers and he is currently negotiating with Nextel and others for collocation on this facility.

There was no testimony in opposition.

Public hearing was closed.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 15, 2002

Duvall moved to approve the revised staff recommendation of conditional approval, seconded by Bills-Strand and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

**CHANGE OF ZONE NO. 3364,**  
**TEXT AMENDMENT TO TITLE 27;**  
**MISCELLANEOUS NO. 02002,**  
**TEXT AMENDMENT TO TITLE 26;**  
**and**  
**MISCELLANEOUS NO. 02003,**  
**TEXT AMENDMENT TO THE CITY OF**  
**LINCOLN DESIGN STANDARDS,**  
**TO GENERALLY ADOPT**  
**"STANDARDS FOR ARTERIALS STREETS**  
**120' OR MORE IN WIDTH".**

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

The Clerk announced that the Interim Director of Planning has submitted a written request to place this legislation on the Planning Commission's pending list until such time as the staff is able to arrange a briefing for the Planning Commission. It is anticipated that this will be in early July, 2002.

Carlson moved to place all three applications on pending, seconded by Taylor and carried 8-0: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn voting 'yes'; Krieser absent.

There was no other public testimony.

**ITEMS NOT ON THE AGENDA:**

May 15, 2002

Members present: Taylor, Duvall, Larson, Bills-Strand, Newman, Carlson, Steward and Schwinn; Krieser absent.

**1. Craig Groat** testified in regard to the status of the Old Federal Building. He does not know whether this issue is required to come before the Planning Commission but he certainly believes that it should. The Old Federal Building is a longstanding part of our heritage. It is an excellent office building. When the issue of selling the Old Federal Building first came up

at the Mayor's Neighborhood Roundtable back in October, Groat suggested that a committee made up of members of the arts community be established to consider the option of making the Old Federal Building an art museum.

Groat believes that the Old Federal Building is working excellent right now as a very efficient government office building. This has been confirmed by the City Property Manager and by Sinclair Hille, which recommended that this facility be used as our County-City Building. This building works perfectly fine for government offices. It has in the past, it will in the future and it is right now. There is no reason to sell this building.

Groat indicated that the City has put over two million dollars into this office building. It was brought into conformance with ADA standards before the government offices were put in and he displayed pictures proving this. As far as asbestos removal, the Lincoln-Lancaster County asbestos removal team offices are in the basement of this building. All of the work that needs to be done has been done. The City offices pay \$7.50 per sq. ft. in this building, and they are projecting as much as \$18.00/sq. ft. if located elsewhere.

Groat understands that the building may need a new roof two to three years from now. He has talked with four different roofers and found that typically, this roof would cost \$120,000 to \$130,000, which Groat suggests could be budgeted over 10 years.

There being no further business, the meeting was adjourned at 1:30 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on May 29, 2002.